

EXHIBIT C

From: [Jameson Joyce](#)
To: [Julian Frachtman](#); [Ashley Lemon](#)
Cc: [Elena Eydelman-Natividad](#)
Subject: RE: DCO Amendment and Mediation proposal - FRCP 408
Date: Monday, October 28, 2024 10:47:49 AM

Hello Julian,

I am sorry to hear about your situation, both personal and professional. While I sympathize, your lack of responsiveness has now impacted my client as well. I was prepared to file a Motion to Compel Discovery today and wished to confer, as required. To answer your questions:

First, regarding your issue with getting your client to cooperate with discovery, I share your frustration. If your client wishes to maintain her lawsuit against my client, she will need to overcome her paranoia and cooperate. As I'm sure you are aware, refusal to do so will result in dismissal of your clients last remaining claim.

Second, the Court has already amended the scheduling order and I do not believe it be inclined to do so again. Additionally, this would be the case even if your client was not refusing to cooperate with discovery. Based on what you said in your email regarding your client, it appears likely we will be in this same situation three months from now. Finally, Defendant is prepared to proceed and thus does not wish to delay this matter any further. If you provide responses to both our Requests for Production and Interrogatories by the end of the week, I am willing to discuss an extension. Otherwise, we'll file our Motion to Compel next week.

Third, I will confer with my client on whether they are open to settling this matter for a nominal amount. Please submit a settlement demand so we have some idea of where you stand on settlement. However, given that we have not begun discovery, we have yet to see a scintilla of evidence supporting your client's sole remaining claim and thus, it may be difficult to convince my client, along with individuals necessary to approve said settlement, that this case is not meritless.

Regards,
Jameson

From: Julian Frachtman <hfrachtmanlaw@gmail.com>
Sent: Friday, October 25, 2024 3:18 PM
To: Jameson Joyce <Jameson.Joyce@oag.texas.gov>; Ashley Lemon <info.hjfrachtmanlaw@gmail.com>
Subject: DCO Amendment and Mediation proposal - FRCP 408

408 communicate to follow

Jameson,

I apologize for the lack of decorum and responsiveness.
Between my father's cancer, my getting covid -- and then me accidentally giving my dad

covid -- things have been ... busy.

I wanted to run a few items by you.

(1) I am [painfully] aware that we are behind on discovery. My client has become near-paranoid and I'm having trouble getting her to pony up on your requests. [After the trespass by PD she became convinced elements of law enforcement were following her, and even now she is reluctant to open up on her ROGS and Production, as I said, bordering paranoia. It's taxing my patience, to be honest.] I'm not sure how much more leeway you can give us on that ... which leads me to item 2.

(2) I believe an amendment to the DCO to extend discovery and dispositives would be helpful. 3 months tops, beyond what you filed earlier. I think that will allow for some breathing room, and help with item 3.

(3) I'd like to mediate this case and get it off my desk. With my dad's cancer, my docket has suffered. So much so, that I've had to back out of a good amount of my (Plaintiff's) cases. I can't care for my old man AND needy clients. If you and your client are amenable to a mediated settlement, I'm certain I can get the Plaintiff to the table.

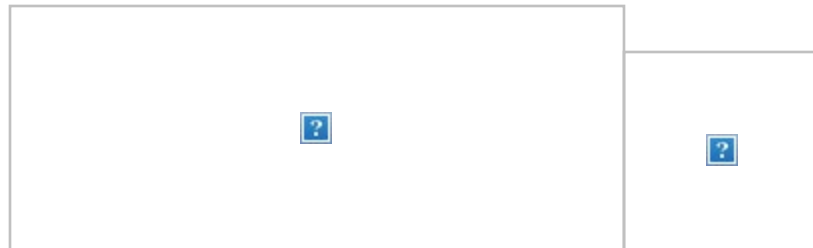
Let me know if you are Opposed / Unopposed to my Motion to Amend / Continue.
And please let me know your thoughts on the other matters?
I would like to shift gears so I can be there for my dad.

Thank you again for your patience on this matter.

Regards,
-hjf

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Qui audit adipiscitur

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